

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Ronald Leslie Murray,

Petitioner,

v.

David Shinn, et al.,

Respondents.

No. CV 17-395-TUC-FRZ

ORDER

Petitioner Ronald Leslie Murray filed a Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus on August 14, 2017, alleging he is being held in state custody after the sentences imposed have expired in violation of his constitutional rights.

The case was referred to Magistrate Judge Jacqueline M. Rateau for all pretrial proceedings and report and recommendation in accordance with the provisions of 28 U.S.C. § 636(b)(1) and LRCiv 72.1 and LRCiv 72.2 of the Rules of Practice of the United States District Court for the District of Arizona, Local Rules of Civil Procedure.

Magistrate Judge Rateau, after a thorough review of the record, issued her Report and Recommendation on November 4, 2019, recommending that the District Court deny the petition with prejudice.

Petitioner filed timely objections.

Before the Court for consideration are the Petition (Doc. 1); the Response (Doc. 14); the Report and Recommendation (Doc. 19); and Petitioner's objections (Doc. 23) thereto.

1 The Report and Recommendation sets forth a thorough factual and procedural
2 background and legal analysis under the applicable law.

3 Following an independent review of the pleadings, the Report and
4 Recommendation, the objections thereto, and the administrative record, the Court shall
5 adopt the findings of the Magistrate Judge, based on the finding that the Petitioner failed
6 to present a cognizable claim that he was entitled to early release credits.

7 Accordingly,

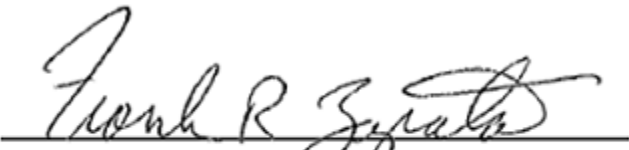
8 **IT IS ORDERED** that the Report and Recommendation (Doc. 19) is hereby
9 **ACCEPTED** and **ADOPTED** as the findings of fact and conclusions of law by this Court;

10 **IT IS THEREFORE ORDERED** that the Petition Under 28 U.S.C. § 2254 for a
11 Writ of Habeas Corpus (Doc. 1) is **DENIED** and **dismissed with prejudice**;

12 **IT IS FURTHER ORDERED** that the Clerk of Court is directed to enter judgment
13 accordingly.

14 **IT IS FURTHER ORDERED** that a Certificate of Appealability shall not issue,
15 based on this Court's finding that Petitioner has not made a substantial showing of the
16 denial of a federal constitutional right, and jurists of reason would not find the Court's
17 assessment of Petitioner's constitutional claims "debatable or wrong." *See Slack v.*
18 *McDaniel*, 529 U.S. 473, 484 (2000).

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20 Dated this 15th day of July, 2020.

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23 
24 Honorable Frank R. Zapata
25 Senior United States District Judge
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